

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**MINIMUM REQUIREMENTS CHECKLIST**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. The instructions, fee schedule and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website @ <http://www.idwr.idaho.gov/>.

**Yes** **N/A** Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

☒ Means this item is always required and should be included in application.

- ☐ ☒ Completed Application for Transfer of Water Right form, Part 1.
- ☐ ☒ Notarized signature of applicant(s) or applicant's authorized representative on first page of transfer application form. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ ☒ Application for Transfer Part 2A. Attach a Proof Report (obtained from Department) or Details Report (obtained on website) describing each water right in the transfer as currently recorded.
- ☐ ☐ Complete and attach an Application for Transfer Part 2B/C for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ ☐ Application for Transfer Part 3 must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ ☒ Correct fee submitted with transfer application form. (See last page of the application for transfer instructions.)

**Attachments to Application** Label each attachment with the corresponding number shown below as **Attachment #1-9**.

- ☐ ☐ **#1** If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☐ **#2a** Water Right ownership documentation if Department records do not show the transfer applicant as the current water right owner.
- ☐ ☐ **#2b** If the ownership of the water right will change as a result of the proposed transfer, attach documentation showing land and/or water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☐ **#3** Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ **#4** Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ **#5** If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River.
- ☐ ☐ **#6** Notarized statement of agreement from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.6.b.)
- ☐ ☒ **#7a** Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ **#7b** If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☐ **#8a** If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and describe how enlargement will be avoided. (See Part 3B.)
- ☐ ☐ **#8b** If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ **#9** Other. Please describe: \_\_\_\_\_

**STATE OF IDAHO  
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**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Mailing address \_\_\_\_\_ Email \_\_\_\_\_

Other person(s) such as attorneys, consultants, or court appointed representatives authorized to act on the applicant's behalf: \_\_\_\_\_

- ☐ Attach Power of Attorney or documentation providing authority to act on the applicant's behalf. Label it **Attachment #4**.

Mailing address \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

**I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.**

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred, and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

STATE OF IDAHO  
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APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

4. Point(s) of Diversion:

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion within ESPA. Label it **Attachment #5**.

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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PART 1 Continued**

6. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: \_\_\_\_\_

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- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

**If yes**, list the name of the entity and type of lien: \_\_\_\_\_

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It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. Label it **Attachment #6**.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

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- d. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: \_\_\_\_\_

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- e. To your knowledge, has/is any portion of the water right(s) proposed to be changed

**Yes    No**

- |                          |                          |                                                                                               |
|--------------------------|--------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | currently used in a mitigation plan, or                                                       |
| <input type="checkbox"/> | <input type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

**If yes**, describe: \_\_\_\_\_

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STATE OF IDAHO  
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**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2**

**A. DESCRIPTION OF RIGHT # \_\_\_\_\_ AS RECORDED**

☐ For each water right listed in Part 1 B.1. of the application, attach a Proof Report (obtained from Department) or Details Report (obtained from website). Label it **Part 2A.**

**B. DESCRIPTION OF PORTION OF RIGHT # \_\_\_\_\_ BEING TRANSFERRED**

☐ Complete and attach one copy **Part 2B.** for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B. is not applicable.

1. amount \_\_\_\_\_ (cfs/ac-ft) for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

1. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT # \_\_\_\_\_.**

☐ Complete and attach one copy of **Part 2C.** for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2C. is not applicable.

1. amount \_\_\_\_\_ (cfs/ac-ft) for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres \_\_\_\_\_

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APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. PLAT MAP (See Part 3A.of Instructions for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of exsiting acres and changes to the place of use. Label it **Attachment #7b**

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a.**

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b.**

1. Describe how the supplemental ground water rights have been used historically in conjunction with other water right(s) at the existing place of use. Describe the time during the irrigation season that the supplemental right(s) have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change:\_\_\_\_\_

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FOR DEPARTMENT USE ONLY

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by _____	Date _____	Prelim. Check by _____	Date _____
Fee Amount _____	Date _____	Received by _____	Receipt # _____
Fee Amount _____	Date _____	Received by _____	Receipt # _____

\_\_\_\_\_